



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Eastern States

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November 22, 2005



IN REPLY REFER TO:
2300, 3100 (ES-930)P

Instruction Memorandum No. ES-2006-04

Expires: 09/30/07

To: Eastern States Expanded Leadership Team

From: State Director, Eastern States

Michael D. Nedd

Subject: Finger Lakes National Forest Withdrawal

DD: 1/30/05

Program Area: Energy and Minerals

Purpose: This Instruction Memorandum (IM) implements Section 370 of the Energy Policy Act of 2005 (Public Law 109-58).

Policy/Action: As of August 8, 2005, all Federal land within the boundary of the Finger Lakes National Forest in the State of New York is withdrawn from: (1) all forms of entry, appropriation, or disposal under the public land laws; and (2) disposition under all laws relating to oil and gas leasing. Expressions of Interest (EOI) for oil and gas leasing in the Finger Lakes National Forest shall be returned unaccepted to the nominator with a verbal or written explanation of the leasing closure. Similarly, applications for entry, appropriation, or disposal under the public land laws shall not be accepted. Federally-owned mineral lands associated with the Finger Lakes National Forest may be included in State-approved drilling units by Compensatory Royalty Agreement where the proposed well meets State spacing and setback requirements. No easing of setback requirements will be permitted under this IM.

Prompt communication and coordination with nominators and applicants is encouraged to avoid any misunderstanding about this policy. Employees whose work involves accepting or processing EOIs or applications must carefully screen each submission to ensure that no lease is issued and no entry, appropriation, or disposal under the public land laws is approved in the Finger Lakes National Forest. This IM shall be posted in the public room of each Bureau of Land Management-Eastern States (BLM-ES) office and on the BLM-ES' external website.

Time Frame: This IM is effective upon receipt.

Budget Impact: None.

Background: With the passage of the Energy Policy Act of 2005 (Public Law 109-58), Congress closed all Federal lands in the Finger Lakes National Forest to oil and gas leasing and withdrew those lands from entry, appropriation, or disposal under the public land laws. This IM



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implements Congressional intent with regard to oil and gas leasing and the operation of the public land laws.

Manual/Handbook Sections Affected: None.

Coordination: This IM was coordinated with the Bureau of Land Management-Eastern States Milwaukee Field Office and the Divisions of Natural Resources and Land Resources.

Contact: Questions regarding this policy should be directed to Dave Stout, Assistant Deputy State Director, Division of Natural Resources (ES-930), at extension 1728, or Ed Ruda, Realty Specialist, Division of Land Resources (ES-960), at extension 1663.